CAITLIN SANCHEZ,  Plaintiff,  - against -  Defendants,  - and -  BALESTRIERE FARIELLO,  Intervenor- Defendant.	UNITED STATES DISTRICT OF	F NEW YORK		
- against - : OPINION  MTV NETWORKS, et al.,  Defendants,  - and - :  BALESTRIERE FARIELLO,  Intervenor- :			x : :	10 Civ 7854 (TPG)
MTV NETWORKS, et al.,  Defendants,  - and -  BALESTRIERE FARIELLO,  Intervenor-  Intervenor-		i idiiitiii,	· :	10 CIV. 7001 (11 d)
Defendants, : Defendants, : : - and - : BALESTRIERE FARIELLO, : Intervenor- :	– against -	_	:	<b>OPINION</b>
EALESTRIERE FARIELLO,  Intervenor-  : : : : : : : : : : : : : : : : : :	MTV NETWORKS, et al.,		:	
BALESTRIERE FARIELLO, Intervenor-  .		Defendants,	· :	
BALESTRIERE FARIELLO, Intervenor-  .		,	:	
Intervenor	– and –			
	BALESTRIERE FARIELLO	),		
			•	

The court approved a settlement in this action in November 2010. Plaintiff filed a motion to vacate the settlement. Plaintiff's former counsel, the Balestriere Fariello law firm ("the Firm"), has been informally participating in the matter before the court without the benefit of formal intervenor status.

The court has denied the motion to vacate and that decision is currently being appealed to the Second Circuit.

The Firm now moves to intervene in this suit, alleging that such intervention is necessary to protect its interest in its fee award. The Firm also asserts that it wishes to participate in the appeal, arguing that the settlement should be upheld.

The Firm's motion to intervene is granted.

## DISCUSSION

After dismissal of a case, the court has ancillary jurisdiction to adjudicate collateral matters, such as the Firm's fee application. See In re Austrian & German Bank Holocaust Litig., 317 F.3d 91, 98 (2d Cir. 2003).

The court is this day issuing an opinion regarding the Firm's fees.

The Firm should be permitted to formally intervene in the district court proceeding, and the motion to do is granted. Whether the Firm will be permitted to participate in the appeal is a matter for the Court of Appeals to decide.

SO ORDERED.

Dated: New York, New York

June 8, 2012

Thomas P. Griesa U.S. District Judge

USDC SDNY
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